

立法會
Legislative Council

LC Paper No. CB(3)100/2023

Ref : CB(3)/M/MM

Tel : 3919 3300

Date : 10 February 2023

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 15 February 2023

**Amendments to Dr Hon NGAN Man-yu's motion on
“Improving the policies on foreign domestic helpers”**

Further to the email (LC Paper No. CB(3)63/2023) issued on 1 February 2023, the President has given permission for Ir Hon LEE Chun-keung and Hon Judy CHAN to move amendments to Dr Hon NGAN Man-yu's motion, and has directed that the amendments be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and the amendments. I set out below the relevant proceedings in which the President will:

- (a) call upon the motion mover to speak and move the motion;
- (b) propose the question on the motion;
- (c) call upon the Members who wish to move amendments to the motion to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Ir Hon LEE Chun-keung; and
 - (ii) Hon Judy CHAN;
- (d) call upon the public officer(s) to speak;

- (e) invite other Members to speak;
- (f) call upon the motion mover to speak on the amendments;
- (g) call upon the public officer(s) to speak again;
- (h) deal with the amendments in the order set out in paragraph (c) above, i.e. first invite the mover of the first amendment to move the amendment and forthwith propose and put to vote the question on the amendment, and thereafter proceed to deal with the remaining amendment(s); and
- (i) after all amendments have been dealt with, call upon the motion mover to reply, and then put to vote the question on the motion, or the motion as amended, as the case may be.

3. The terms of the original motion and the marked-up version of the amendments (LC Paper No. CB(3)100/2023(01)) are attached for Members' easy reference. The amendments are also accessible via the hyperlink below: <https://www.legco.gov.hk/yr2023/english/counmtg/motion/cm20230215m-nmy.htm>

4. Members are reminded that in accordance with Appendix IIIA to the House Rules, the **maximum duration of this joint debate (including voting) is four hours**. The motion mover will have a total of 10 minutes to make introductory speech and reply (paragraph 2(a) and (i) above refers), and another five minutes to speak on the amendment(s) (paragraph 2(f) above refers). The mover(s) of the amendment(s) and other Members may each speak once up to a maximum of five minutes.

5. For enquiries, please contact **Ms Jacqueline LAW at tel. no. 3919 3306**.

(Miranda HON)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Improving the policies on foreign domestic helpers”**

1. Dr Hon NGAN Man-yu’s original motion

That with the ageing of the Hong Kong society, an increasing number of elderly people and persons with chronic illnesses are in need of long-term care, and with more and more women joining the workforce, the duties of taking care of the family and performing household chores in many families have fallen on foreign domestic helpers (‘FDHs’), resulting in society’s growing demand for FDHs; statistics show that the number of FDHs working in Hong Kong has increased to about 400 000 in recent years; given the wide concern in the community over the regulation of FDH agencies, the premature termination of contracts and job-hopping by FDHs as well as their quality, this Council urges the Government to comprehensively review and improve the policies on FDHs, including establishing an FDH Authority, reviewing and amending the standard employment contract for FDHs and the Code of Practice for Employment Agencies, establishing a rating system for FDH agencies, setting up a dedicated information website for FDHs and employers, and providing training courses for FDHs, thereby enhancing the protection of the interests of both the employers and FDHs.

2. Motion as amended by Ir Hon LEE Chun-keung

That *many families have employed foreign domestic helpers (‘FDHs’) to take care of their children or elderly family members*; with the ageing of the Hong Kong society, an increasing number of elderly people and persons with chronic illnesses are in need of long-term care, and with more and more women joining the workforce, the duties of taking care of the family and performing household chores in many families have fallen on ~~foreign domestic helpers~~ (‘FDHs’), resulting in society’s growing demand for FDHs; statistics show that the number of FDHs working in Hong Kong has increased to about 400 000 in recent years; given the wide concern in the community over the regulation of FDH agencies, the premature termination of contracts and job-hopping by FDHs as well as their quality, this Council urges the Government to *adopt the following measures to enhance the protection of the interests of both the employers and FDHs*:

- (1) comprehensively ~~review~~ *reviewing* and ~~improve~~ *improving* the policies on FDHs, including establishing an FDH Authority, reviewing and

amending the standard employment contract for FDHs and the Code of Practice for Employment Agencies;

- (2) *ensuring that FDH agencies must comply with the relevant legislation such as the Employment Agency Regulations; following the practices of the real estate and insurance industries by establishing a mandatory licensing regime and a rating system for FDH agencies; and practitioners;*
- (3) setting up a dedicated information website for FDHs and employers, ~~and providing~~ *drawing up a 'blacklist' of FDHs engaged in premature termination of contracts and job-hopping, and making public the 'blacklist' as well as the various service fees charged by FDH agencies for public reference;*
- (4) *establishing a test centre of housework techniques and a skills assessment system for FDHs whereby FDHs are required to pass a skills test on performing household chores and taking care of the elderly and children before assuming duty, so as to ensure that the skills of FDHs reach a certain standard, and if FDHs do not meet the basic requirements, FDH agencies should be required to provide training courses for FDHs; ~~thereby enhancing the protection of the interests of both the employers and FDHs; and~~*
- (5) *studying how to prevent the employers from suffering harassment when their FDHs who have borrowed from banks or finance companies are unable to repay their debts.*

Note: Ir Hon LEE Chun-keung's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon Judy CHAN

That *the quality of foreign domestic helper ('FDH') agencies in Hong Kong varies, resulting in both the employers and FDHs suffering losses from time to time, hence a pressing need to improve this situation;* with the ageing of the Hong Kong society, an increasing number of elderly people and persons with chronic illnesses are in need of long-term care, and with more and more women joining the workforce, the duties of taking care of the family and performing household chores in many families have fallen on ~~foreign domestic helpers~~ ('FDHs'), resulting in society's growing demand for FDHs; statistics show that the number of FDHs working in Hong Kong has increased to about 400 000 in recent years; given the wide concern in the community over the regulation of

FDH agencies, the premature termination of contracts and job-hopping by FDHs as well as their quality, this Council urges the Government to comprehensively review and improve the policies on FDHs, including establishing an FDH Authority, reviewing and amending the standard employment contract for FDHs and the Code of Practice for Employment Agencies, establishing a rating system for FDH agencies, setting up *a hotline and* a dedicated information website *containing details of FDH agencies* for FDHs and employers, ~~and~~ providing training courses for FDHs, *and considering establishing an independent licensing system for FDH agencies*, thereby enhancing the protection of the interests of both the employers and FDHs.

Note: Hon Judy CHAN's amendment is marked in *bold and italic type* or with deletion line.